

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

REAL PROPERTY LOCATED AT
7199 GRANT ROAD, ARPIN,
WOOD COUNTY, WISCONSIN, WITH
ALL APPURTENANCES AND IMPROVEMENTS
THEREON,

Defendant.

ORDER

05-C-0731-C

On October 29, 2008, claimant Allen Oleson filed a motion to reconsider, together with a notice of appeal from the order granting the government's motion for interlocutory sale of the defendant's property. In the motion to reconsider, claimant says that he was not informed until October 1, 2008, when he found a letter in his mailbox from his court-appointed counsel, that he had to be personally present on October 1, 2008, at 9:00 a.m. for an order to show cause hearing. I find this statement puzzling because claimant was sent his own notice of the hearing. If claimant is saying that he did not understand until he received the letter from his counsel that he had to be personally present at the hearing, that

is certainly no reason to grant his motion to reconsider the order for interlocutory appeal.

Even if claimant could show that he had no notice other than that from his lawyer that he had to be present at the hearing, I could not hear his contention at this time. Now that claimant has filed a notice of appeal, this court has no authority to consider any aspect of the case relating to the merits of the issue on appeal.

Therefore, IT IS ORDERED that claimant's motion to reconsider is DENIED.

Entered this 3d day of November, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge